

BEFORE THE TENNESSEE REGULATORY AUTHORITY AT

NASHVILLE, TENNESSEE

December 10, 2002

IN RE:

SMALL TELEPHONE COMPANIES TARIFF FILINGS  
REGARDING RECLASSIFICATION OF PAY  
TELEPHONE SERVICE AS REQUIRED BY FEDERAL  
COMMUNICATIONS COMMISSION DOCKET 96-128

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DOCKET NO.  
97-01181

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ORDER SUSPENDING TARIFF NINETY (90) DAYS

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This matter came before the Tennessee Regulatory Authority ("Authority") at a regularly scheduled Authority Conference held on November 4, 2002 for consideration of the October 14, 2002 tariff filing by Millington Telephone Company ("Millington"). Millington proposed an effective date of November 14, 2002 for implementation of the tariff.

**Background**

On September 26, 2002, the Pre-Hearing Officer issued a Notice requiring each independent local exchange carrier ("LEC") that is a party to this action to file no later than October 14, 2002 comments and rate proposals for the provisioning of payphone access services to payphone service providers. Responses to this filing were due on October 24, 2002.

On October 9, 2002, the Coalition of Tennessee Small Local Exchange Companies ("Coalition") filed the *Request of Coalition of Tennessee Small Local Exchange Companies for Extension of Time to File Comments and Rate Proposals as Directed by*

*Notice of Filing Dated September 26, 2002* ("Request"). The Request sought an additional twenty (20) days in which to file comments.<sup>1</sup> The Tennessee Payphone Owners Associations ("TPOA") filed a Response on October 11, 2002, asserting that it would not oppose a continuance of seven (7) to ten (10) days.

On October 14, 2002, the Pre-Hearing Officer granted the Coalition's Request, directing the independent LECs to file their comments, rate proposals and justifications for rates no later than Monday, November 4, 2002. On the same day, consistent with the September 26, 2002 Notice, Millington filed the tariff that is the subject of this Order.

On November 1, 2002 the Coalition and the TPOA jointly filed an *Agreed Motion for Continuance*, requesting an extension of time until November 11, 2002 to file comments in order to assist in settlement discussions.

#### **The November 4, 2002 Authority Conference**

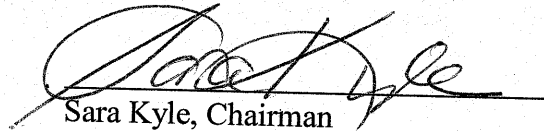
At the November 4, 2002 Authority Conference, the randomly selected panel in this docket determined that the interests of administrative economy and consistency required Millington's rate proposal to be considered simultaneously with the rate proposals of the Coalition. Accordingly, the panel unanimously voted to defer action on Millington's payphone tariff filing for ninety (90) days, from November 14, 2002 through February 11, 2003.

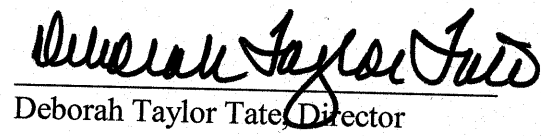
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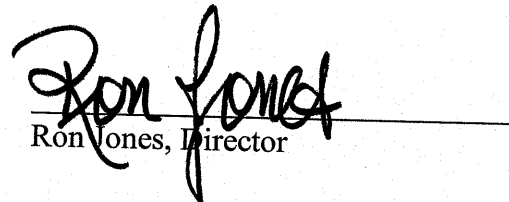
<sup>1</sup> The Coalition consists of the following companies: Ardmore Telephone Company, Inc., the Century Tel, Inc. Companies in Tennessee (including Century Tel of Adamsville, Inc., Century Tel of Claiborne, Inc. and Century Tel of Ooltewah-Collegedale, Inc.), Loretto Telephone Company, Inc., the TDS Telecom Companies in Tennessee (including Concord Telephone Exchange, Inc., Humphreys County Telephone Company, Tellico Telephone Company, Inc. and Tennessee Telephone Company), the Telephone Electronics Corp. ("TEC") Companies in Tennessee (including Crockett Telephone Company, Inc., Peoples Telephone Company, Inc. and West Tennessee Telephone Company, Inc.) and United Telephone Company, Inc. Millington is not a member of the Coalition.

**IT IS THEREFORE ORDERED THAT:**

The tariff filed by Millington Telephone Company on October 14, 2002 is suspended for ninety (90) days through February 11, 2003.

  
Sara Kyle, Chairman

  
Deborah Taylor Tate, Director

  
Ron Jones, Director